

### **REMARKS**

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1-2 are amended. Claims 1-2 remain actively pending in the case. No new matter has been added. Reconsideration of the claim is respectfully requested.

In paragraph 2 on page 2 of the Office Action, the Abstract was objected to because of the use of legal phraseology. Applicants respectfully traverse the objection, but in order to advance prosecution have amended the Abstract to overcome the objection and are submitting an amended paragraph herewith. The amended Abstract does not add new matter. Therefore, in view of the above remarks, Applicants respectfully request that Examiner withdraw the objection.

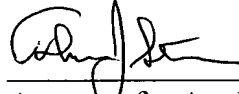
In paragraph 3 on page 2 of the Office Action, claims 1-2 were objected to because the terms 1<sup>st</sup> and 2<sup>nd</sup> were not spelled out. Applicants respectfully traverse the objection, but in order to advance prosecution have amended the claims to overcome the objection. Therefore, in view of the above remarks, Applicants respectfully request that Examiner withdraw the objection.

In paragraph 5 on page 3 of the Office Action, claims 1-2 were rejected under 35 USC § 102(b) as being anticipated by Vogelgesang (U.S. 3,755,730). Applicants respectfully traverse the rejection. Vogelgesang fails to teach or suggest at least providing a second machine-readable indicia in a protective overlayer that is identical in content to, and in register with said first machine-readable indicia in said image layer. Rather, Vogelgesang discloses that an opaque permanent protective layer is applied over indicia to hide the indicia. Col. 1, lines 48-51; Col. 4, lines 62-64; Col. 5, lines 30-32. Vogelgesang does not even provide machine-readable indicia in the protective layer.

Therefore, in view of the above remarks, Applicants' independent claims are patentable over the cited reference.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



---

Attorney for Applicant(s)  
Registration No. 53,950

Thomas J. Strouse/phw  
Rochester, NY 14650  
Telephone: 585-588-2728  
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.